Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined seventh and eighth periodic reports of Nigeria*

1. The Committee considered the combined seventh and eighth periodic reports of Nigeria (CEDAW/C/NGA/7-8) at its 1518th and 1519th meetings (see CEDAW/C/SR.1518 and 1519), held on 14 July 2017. The Committee's list of issues and questions is contained in CEDAW/C/NGA/Q/7-8 and the responses of Nigeria are contained in CEDAW/C/NGA/Q/7-8/Add.1.

A. Introduction

2. The Committee appreciates the submission by the State party of its combined seventh and eighth periodic reports. It also takes note of the State party's written replies to the list of issues and questions raised by the pre-sessional working group, although they were submitted very late. It appreciates the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister of Women Affairs and Social Development, Aisha Jummai Alhassan, and included representatives of the Ministry of Women Affairs and Social Development, the Ministry of Foreign Affairs and the Permanent Mission of Nigeria to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2008 of the State party's sixth periodic report (CEDAW/C/NGA/6), in particular the adoption of the following:

(a) Violence against Persons (Prohibition) Act, in 2015;

(b) HIV and AIDS (Anti-Discrimination) Act, in 2014;

(c) *Ekiti* State Gender-based Violence (Prohibition) Law, in 2011;

* Adopted by the Committee at its sixty-seventh session (3-21 July 2017).

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(d) Cross River State Law to Prohibit Girl-Child Marriages and Female Genital Circumcision or Genital Mutilation, in 2009.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

(a) Human rights desk in the military, in 2016, aimed at addressing complaints of human rights violations by the military;

(b) Jigawa State gender policy and action plan, in 2013;

(c) Ekiti State gender policy, in 2011;

(d) Strategic implementation framework and plan of action to operationalize the national gender policy, in 2008.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international instruments:

(a) Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in 2012;

(b) 1961 Convention on the Reduction of Statelessness, in 2011;

(c) 1954 Convention relating to the Status of Stateless Persons, in 2011;

(d) Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, in 2010;

(e) Optional Protocol to the Convention on the Rights of Persons with Disabilities, in 2010.

C. Factors and difficulties preventing the effective implementation of the Convention

7. The Committee notes that the State party's efforts to implement its obligations under the Convention have been significantly affected by various conflicts in Nigeria, in particular the terrorist insurgency waged by Jama'atu Ahlis Sunna Lidda'Awati Wal-Jihad (Boko Haram) since 2009. The Committee notes the efforts of the State party to rescue and rehabilitate women and girls who have been abducted and subjected to sexual slavery by Boko Haram. It considers that the full implementation of the Convention, so as to ensure respect for and enjoyment of women's rights, is a prerequisite for the success of those efforts, including those aimed at securing education facilities, bringing about deradicalization and combating violent extremism. The Committee recommends, therefore, that the State party implement the recommendations contained in the present concluding observations as a matter of high priority, including by seeking international assistance and cooperation, if appropriate, for their implementation. In this regard, it also recommends that the State party adopt a national action plan on the implementation of the present recommendations, in consultation with civil society organizations and religious leaders, which should provide a road map for the enhanced implementation and monitoring of the concluding observations.

D. Parliament

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth session, in 2010). It invites the National Assembly, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention. In view of the complex federal system of the State party, the Committee also invites the legislatures of the 36 states to act accordingly within their spheres of competence.

E. Principal areas of concern and recommendations

Definition of discrimination and legislative framework

9. The Committee recalls its previous concluding observations (CEDAW/C/NGA/CO/6, paras. 9 and 10) and notes that the State party's federal structure, which establishes a three-tiered system of governance at the national, state and local levels, continues to present challenges for the incorporation of the provisions of the Convention into the national legal order. Laws that affect women's rights, such as the Violence against Persons (Prohibition) Act of 2015, are therefore applicable only in the Federal Capital Territory. The Committee is particularly concerned that:

(a) Owing to the governance arrangements of the State party, women and girls are subject to different laws and policies that afford varying levels of protection;

(b) The prohibition of discrimination in section 42 of the Constitution does not comprise a comprehensive definition of discrimination in line with article 1 of the Convention;

(c) The gender and equal opportunities bill, which is intended to incorporate the Convention into the national legal order, has stalled and that there is no timeline for the adoption of pending bills such as the disability rights bill.

10. **The Committee recalls its previous recommendations (CEDAW/C/NGA/CO/6, paras. 10 and 12) and its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention and reiterates that the internal governance arrangements in a State party that entail the delegation of powers do not absolve the State party of its obligations under the Convention. It therefore calls upon the State party:**

(a) **To ensure that its internal governance arrangements do not impede the implementation of the provisions of the Convention throughout its territory. In this regard, the State party should urgently incorporate the provisions of the Convention into national legislation and strengthen its national coordination mechanisms to ensure coherent and consistent implementation throughout the State party;**

(b) **To adopt a comprehensive definition of discrimination against women, in line with article 1 of the Convention and Sustainable Development Goal 5.1, to end all forms of discrimination against all women and girls, covering all prohibited grounds of discrimination, including direct and indirect discrimination in the public and private spheres, and intersecting forms of discrimination;**

(c) To expedite the adoption of pending laws, such as the gender and equal opportunities bill and the disability rights bill, and ensure that they fully comply with the Convention.

Discriminatory laws and harmonization

11. The Committee notes the efforts to review discriminatory laws by the Nigerian Law Reform Commission and through the ongoing constitutional review process. It also notes the pluralistic legal system in the State party, whereby statutory, customary and Islamic personal laws are applicable side by side. It is concerned that certain aspects of those laws are incompatible with one another and with the Convention. The Committee is particularly concerned that, notwithstanding the comprehensive audit of discriminatory laws conducted by the Commission and the fact that the State party ratified the Convention in 1985, various discriminatory provisions remain in effect, including:

(a) Section 42 (3) of the Constitution, which validates any law that may impose discriminatory restrictions with respect to appointment to the police force;

(b) Section 118 (g) of the Police Act, which prohibits the recruitment of a married woman into the police force;

(c) Section 55 of the Criminal Code, which permits wife battery as chastisement as long as no grievous bodily harm is inflicted.

12. **The Committee recommends that the State party:**

(a) Undertake comprehensive law reform, in the context of the ongoing constitutional review process, in order to harmonize conflicting provisions under statutory, customary and Islamic personal laws and ensure that they fully comply with the Convention;

(b) Ensure that the ongoing constitutional review process addresses the applicability of statutory, customary and Islamic personal laws, which afford varying degrees of protection for women and girls, in order to guarantee all women the same rights and protection against discrimination;

(c) Expedite the repeal or amendment of all discriminatory laws identified by the Nigerian Law Reform Commission following its comprehensive audit of discriminatory laws in the State party and include religious leaders in the process of addressing issues of faith and human rights, so as to build on several "faith for rights" initiatives and identify common ground among all religions in the State party, as acknowledged by the delegation.

Access to justice

13. The Committee notes the State party's efforts to provide legal aid services to women and girls, but is concerned at reports that women's access to justice is often impeded by insufficient budget allocations for legal aid, alleged corruption and stereotyping within the judiciary.

14. **Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee urges the State party to increase the budget for legal aid and to investigate allegations of corruption within the judiciary and prosecute and punish corrupt judicial officials who obstruct justice, in order to restore women's effective access to and trust in the judicial system. It also recommends that the State party intensify efforts to encourage and enable women to gain access to justice by increasing gender awareness among judges and other court personnel.**

Women and peace and security

15. The Committee welcomes the State party's launch on 9 May 2017 of its second national action plan for the implementation of Security Council resolution 1325 (2000) and related resolutions, which covers the period 2017-2020. While commending the State party for its efforts to combat violent extremism and the terrorist insurgency by Boko Haram and in rescuing more than 100 abducted girls, the Committee remains concerned that:

(a) A significant number of girls who were abducted by Boko Haram from Chibok and Damasak in Borno State in April and November 2014, respectively, have not been rescued and continue to be subjected to rape, sexual slavery, forced marriage and impregnation by insurgents;

(b) The military and law enforcement authorities have resorted to the blanket arrest and detention of women and girls suspected to have been radicalized or associated with Boko Haram insurgents;

(c) Sexual exploitation, including so-called "transactional sex", is reportedly taking place in camps for internally displaced persons, especially in Maiduguri, and girls and children born as a result of rape and sexual slavery committed by Boko Haram insurgents are subject to stigma and social isolation;

(d) Notwithstanding the ratification of the Arms Trade Treaty in August 2013, women in the State party are affected by the proliferation of small arms and light weapons;

(e) Fulani herders in search of grazing land continue to perpetrate violence, which disproportionately affects women and girls;

(f) Women continue to be excluded from peace negotiations, conflict prevention, peacebuilding and post-conflict reconstruction efforts in the State party.

16. **The Committee recommends that the State party give due consideration to the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations by ensuring that the second national action plan for the implementation of Security Council resolution 1325 (2000) and related resolutions is fully implemented, including through the allocation of adequate budgetary resources and enhanced coordination. The Committee also recommends that the State party:**

(a) **Intensify its efforts to rescue all women and girls abducted by Boko Haram insurgents, ensure their rehabilitation and integration into society and provide them and their families with access to psychosocial and other rehabilitative services;**

(b) **Ensure that counter-terrorism measures employed by the military and law enforcement authorities, including deradicalization programmes, respect women's rights to dignity and comply with the provisions of the Convention;**

(c) **Continue to investigate, prosecute and punish perpetrators of alleged sexual exploitation, including so-called "transactional sex", in camps for internally displaced persons, especially in Maiduguri, and combat the stigma and social isolation faced by rescued girls through public awareness-raising and education campaigns;**

(d) **Ensure the effective regulation of conventional and illicit arms, including small arms and light weapons, in the State party;**

(e) **Protect women and girls who are disproportionately affected by conflicts and attacks by Fulani herders and ensure that perpetrators of such**

attacks, including gender-based violence, are arrested, prosecuted and punished with appropriate sanctions;

(f) **Involve women in the development of strategies to counter the violent extremist narrative of Boko Haram and in addressing the conditions conducive to the spread of violent extremism, especially in the north-east of the State party;**

(g) **Ensure the participation of women in conflict prevention, peacebuilding and post-conflict reconstruction, including in decision-making, in line with Security Council resolution 1325 (2000), and take into consideration the full spectrum of the women and peace and security agenda of the Security Council, as reflected in its resolutions 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013) and 2122 (2013).**

National machinery for the advancement of women

17. The Committee notes the efforts by the Ministry of Women Affairs and Social Development to improve women's rights, including the establishment of gender focal points in line ministries and government departments and agencies and its work to ensure systematic gender mainstreaming and gender budgeting. The Committee is concerned, however, at the lack of adequate human, technical and financial resources for the Ministry — as the national machinery for the advancement of women — to effectively carry out its work on the promotion and protection of women's rights.

18. **The Committee recommends that the State party:**

(a) **Provide adequate human, technical and financial resources to the Ministry of Women Affairs and Social Development to enable it to effectively undertake its activities as the national machinery for the advancement of women;**

(b) **Continue to provide support to the gender focal points in line ministries, government departments and agencies to ensure effective gender mainstreaming and gender budgeting, as well as accelerate the decentralization of gender focal points.**

Temporary special measures

19. The Committee notes the State party's efforts to ensure substantive equality of women and men by, among other things, seeking to implement the national gender policy through its strategic implementation framework and plan, which set the objective of having a 35 per cent quota for women occupying appointed and elected positions. Nevertheless, the Committee is concerned:

(a) That the 35 per cent quota and other measures, including the "Community Services, Women and Youth Employment" and "Growing Girls and Women in Nigeria" projects, lack a legislative basis that would ensure their enforcement;

(b) That there are no mechanisms in place to track the progress of the "Community Services, Women and Youth Employment" project, among others, and that there is no information on plans to expand that project to rural areas, where the majority of women live;

(c) At the lack of information on the use of temporary special measures in other areas covered by the Convention where women are underrepresented or disadvantaged, such as employment.

20. **The Committee calls upon the State party to use the ongoing constitutional review process to adopt legislation on temporary special measures in order to increase the participation of women in political and public life, education and employment, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, as a necessary strategy to accelerate the achievement of substantive equality between women and men in all areas covered by the Convention where women are underrepresented or disadvantaged, including employment. The State party should establish mechanisms aimed at tracking progress achieved in the implementation of temporary special measures, such as the "Community Services, Women and Youth Employment" and "Growing Girls and Women in Nigeria" projects, and expand them to rural areas, where the majority of women live.**

Stereotypes and harmful practices

21. The Committee notes the State party's efforts to address stereotypes and harmful practices by, among other things, revising the national broadcasting code in 2010 to provide for minimum standards within the media and film industries in relation to combating stereotypes. The Committee remains concerned, however, at the persistence of harmful practices and discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society, which perpetuate women's subordination in the private and public spheres. It notes that such stereotypes also contribute to the increase in child marriage, polygamy and wife inheritance and, hence, to the disadvantaged and unequal status of women in society. The Committee is further concerned that the State party has not conducted an impact assessment of its nationwide awareness campaign on eliminating stereotypes.

22. **Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, the Committee recommends that the State party:**

(a) **Intensify awareness-raising among, targeting of and partnering with the media and the film industry (Nollywood) in order to raise public awareness about discriminatory gender stereotypes regarding the roles and responsibilities of women and men in the family and at all levels of society, with a view to eliminating them;**

(b) **Expand public education programmes on the negative effect of such stereotypes on women's enjoyment of their rights, in particular in rural areas, targeting men and boys, as well as the traditional and religious leaders who are the custodians of customary and religious values in the State party;**

(c) **Take effective measures to prohibit and eliminate child marriage, wife inheritance and polygamy;**

(d) **Conduct an impact assessment of the nationwide awareness campaign on the elimination of discriminatory stereotypes and harmful practices and regularly monitor and review the measures adopted to eliminate them.**

Female genital mutilation

23. The Committee recalls its previous concluding observations (CEDAW/C/NGA/CO/6, para. 21) and reiterates its concern that, notwithstanding the measures taken by the State party to combat female genital mutilation, including the adoption of the Violence against Persons (Prohibition) Act in 2015, this harmful practice continues

to be prevalent. The Committee is particularly concerned that the Act, which proscribes female genital mutilation, applies only in the Federal Capital Territory and not in those federal states in which female genital mutilation is prevalent.

24. **Recalling its previous recommendation (CEDAW/C/NGA/CO/6, para. 22), and in line with Sustainable Development Goal 5.3, to eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation, the Committee recommends that the State party:**

(a) **Ensure that the Violence against Persons (Prohibition) Act of 2015 applies in all federal states, including those in which female genital mutilation is prevalent;**

(b) **Raise awareness among religious and traditional leaders and the general public about the criminal nature of female genital mutilation, including so-called "female circumcision", and its adverse effect on the human rights of women.**

Gender-based violence against women

25. The Committee notes the State party's efforts to eliminate gender-based violence against women, including through the adoption of the Violence against Persons (Prohibition) Act in 2015; the Act is, however, applicable only in the Federal Capital Territory. The Committee notes with concern that:

(a) Gender-based violence against women and girls, including domestic violence, remains prevalent;

(b) To date, the "enforcement procedure" framework for the implementation of the Violence against Persons (Prohibition) Act has not been prepared;

(c) Shelters are inadequate and there is no information on their accessibility for women and girls, especially in remote areas.

26. **Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and in line with Sustainable Development Goal 5.2, to eliminate all forms of violence against all women and girls in the public and private spheres, the Committee recommends that the State party:**

(a) **Ensure that the Violence against Persons (Prohibition) Act of 2015 is applicable in all federal states and expedite the drafting and adoption of its "enforcement procedure" framework, which should be focused on developing a comprehensive prevention strategy for gender-based violence against women;**

(b) **Establish additional shelters, strengthen existing shelters run by non-governmental organizations and ensure their accessibility for women and girls who are victims of gender-based violence, especially in remote areas;**

(c) **Strengthen the collection of statistical data on all forms of violence against women, including domestic violence, disaggregated by age, type of offence and relationship between the victim and the perpetrator;**

(d) **Continue to allocate sufficient resources to integrate sexual and gender-based violence into health sector strategic plans and train health-care providers in the provision of comprehensive clinical care for victims of gender-based violence.**

Trafficking and exploitation of prostitution

27. The Committee welcomes the revised Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, which entered into force in 2015, and the establishment of a trust fund for victims of trafficking in 2008. The Committee is nonetheless concerned that:

(a) The State party remains a source, transit and destination country for trafficking in persons, in particular women and girls, for purposes of sexual and labour exploitation;

(b) Owing to migration flows in the subregion, internally displaced women and girls and women living in poverty are vulnerable to trafficking;

(c) The budgetary allocation for the National Agency for the Prohibition of Trafficking in Persons has been reduced owing to the economic recession in the State party;

(d) There are only eight shelters for victims of trafficking in the entire State party;

(e) Women in prostitution are allegedly subjected to harassment and abuse, notably by the police and other law enforcement personnel.

28. **The Committee recommends that the State party:**

(a) **Address the root causes of trafficking in women and girls and ensure the rehabilitation and social integration of victims, including by providing them with access to shelters, legal, medical and psychosocial assistance and adequate income-generating opportunities;**

(b) **Intensify awareness-raising efforts aimed at promoting the reporting of trafficking and related crimes and the early detection of women and girls who are victims of trafficking and their referral to appropriate social services;**

(c) **Step up efforts aimed at bilateral, regional and international cooperation to prevent trafficking, including by exchanging information and harmonizing legal procedures to prosecute traffickers, in particular with countries in the Economic Community of West African States and the European Union;**

(d) **Allocate adequate human, technical and financial resources to the National Agency for the Prohibition of Trafficking in Persons to enable it to effectively undertake its activities;**

(e) **Conduct an assessment of the adequacy of shelters and the services that they provide, including legal, medical and psychosocial assistance;**

(f) **Protect women in prostitution against gender-based violence, abuse and harassment, notably by law enforcement personnel and in particular the police, by investigating, prosecuting and punishing the perpetrators;**

(g) **Allocate sufficient resources for exit programmes for women wishing to leave prostitution, including by providing alternative income-generating opportunities.**

Participation in political and public life

29. The Committee notes the State party's efforts to improve women's participation in political life, including through the trust fund established in 2010 to support aspiring women politicians in the elections in 2011. The Committee also

notes the progress made in improving the representation of women in decision-making positions, especially within the judiciary. Nevertheless, it remains concerned:

(a) That women are still underrepresented in the National Assembly, in senior leadership positions in the diplomatic service and at the ministerial level;

(b) At the lack of information on the existence of strategies for local council Chairs and councillors and in the private sector to mainstream gender and increase women's participation, including measures to sustain such strategies and mechanisms to monitor and assess their implementation;

(c) Women with disabilities have not benefited from any temporary special measures aimed at increasing their representation in political and public life.

30. **The Committee recommends that the State party, in line with article 4 (1) of the Convention and the Committee's general recommendations No. 25 and No. 23 (1997) on women in political and public life:**

(a) **Introduce temporary measures, such as quotas for political appointments and the accelerated recruitment of women to decision-making positions, in order to accelerate their full and equal participation in elected and appointed bodies, including in the National Assembly, in senior leadership positions in the diplomatic service and at the ministerial level;**

(b) **Provide information on gender mainstreaming strategies for local council Chairs and councillors and the private sector in order to increase women's participation, including measures to sustain those strategies and mechanisms to monitor and assess their implementation;**

(c) **Introduce temporary special measures to increase the representation of women with disabilities in political and public life and expedite the adoption of the disability rights bill.**

Nationality

31. The Committee is concerned that, under section 26 (2) (a) of the Constitution, Nigerian women married to foreign men cannot transmit their nationality to their husbands, unlike Nigerian men married to foreign women. It is also concerned that section 29 (4) (b) on citizenship renunciation legitimizes child marriage, as it recognizes any woman who is married to be of full age for the purposes of renunciation of citizenship.

32. **In line with its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party:**

(a) **Repeal section 26 (2) (a) of the Constitution in order to bring it into line with the Convention and ensure that, in accordance with article 9 of the Convention, Nigerian women who are married to foreign men can transmit their nationality to their husbands on an equal basis with Nigerian men who are married to foreign women;**

(b) **Amend Section 29 (4) (b) of the Constitution, which implicitly recognizes and legitimizes child marriage.**

Education

33. The Committee notes the efforts by the State party to address the effect of the Boko Haram insurgency on access to education by women and girls. It notes with concern:

(a) That many women and girls in the north-east of the State party have dropped out of school owing to the Boko Haram insurgency;

(b) The lack of information on the progress made in securing schools to ensure that girls and teachers are protected from Boko Haram insurgents;

(c) That the budget allocation for the education sector remains below the recommended United Nations Educational, Scientific and Cultural Organization (UNESCO) threshold of 26 per cent of gross domestic product;

(d) The lack of data on the effect of the privatization of schools on access to education by women and girls;

(e) The lack of data on the provision of special needs education for women and girls with disabilities;

(f) The resistance in some federal states to the provision of sexual and reproductive health and rights education;

(g) That the implementation of the school feeding programme has been heavily affected by a reduction in funding and a lack of logistics and provision of food.

34. **The Committee recommends that the State party:**

(a) **Take specific measures, including by seeking international assistance, if appropriate, to rebuild and secure all schools affected by the Boko Haram insurgency and encourage girls and teachers, including women, to return to those schools;**

(b) **Provide psychosocial and medical support to girls and their families, as well as teachers, encourage girls to continue with their studies and, to that end, explore the use of modern technology in the delivery of subjects and courses;**

(c) **Increase the budget allocation for the education sector with a view to attaining the recommended UNESCO threshold of 26 per cent of gross domestic product;**

(d) **Provide data in the next periodic report on the effect of the privatization of schools on the right of women and girls to pursue their education and on the provision of special needs education for women and girls;**

(e) **Address the resistance to the provision of age-appropriate education on sexual and reproductive health and rights through awareness-raising campaigns on the significance of such education for combating early pregnancy and sexually transmitted infections among adolescents;**

(f) **Ensure adequate funding, logistics and provision of food to schools under the school feeding programme and ensure the sustainability of the programme.**

Employment

35. The Committee welcomes the adoption of the National Minimum Wage (Amendment) Act of 2011 and other efforts to improve the participation of women in the labour market through the implementation of such initiatives as the "Community Services, Women and Youth Employment" and "Growing Girls and Women in Nigeria" projects. Recalling its previous concluding observations (CEDAW/C/NGA/CO/6, paras. 13 and 29), the Committee remains concerned about:

(a) Discriminatory provisions in the Labour Act of 1990, the Factories Act of 1987 and the Police Regulations of 1968, which, among other things, prohibit the employment of women in night work and the recruitment of married women to the police and require women police officers to make a written request for permission to marry;

(b) The delay in adopting the labour standards bill, which is intended to prohibit sexual harassment, and the national policy on employment;

(c) The lack of information on plans to replicate the "Community Services, Women and Youth Employment" project, which provided temporary employment opportunities to unemployed women, young people and persons with disabilities, in other areas, such as re-establishing women development centres;

(d) The lack of information on discriminatory practices based on maternity and marital status in the workplace and on the activities of labour inspectors in the Federal Ministry of Labour and Employment to address such complaints and to investigate the alleged gender wage gap, especially in the private sector;

(e) The limited efforts of the State party to bridge the information and communications technology divide and to implement specific programmes aimed at building women's capacity with regard to technology, innovation and entrepreneurship.

36. **The Committee reiterates its previous recommendations (CEDAW/C/NGA/CO/6, paras. 14 and 30) and recommends that the State party:**

(a) **Repeal all discriminatory provisions in labour laws that restrict the participation of women in the labour market, including in the Labour Act of 1990, the Factories Act of 1987 and the Police Regulations of 1968;**

(b) **Consider replicating the "Community Services, Women and Youth Employment" project, which provided temporary employment opportunities to unemployed women, young people and persons with disabilities, in other areas and re-establishing the women development centres;**

(c) **Provide information in the next periodic report on the persistence of discriminatory practices based on maternity and marital status in the workplace and on how labour inspectors have addressed complaints, including investigating the alleged gender wage gap in the private sector;**

(d) **Intensify efforts aimed at bridging the information and communications technology divide and implement specific programmes to build women's capacity with regard to technology, innovation and entrepreneurship.**

Health

37. The Committee notes the State party's efforts to improve the health status of women and girls through the adoption of such policies as the national health policy of 2016. Nevertheless, it notes with concern:

(a) The high rate of maternal mortality, which is partly attributable to the lack of access to skilled midwives and the high number of unsafe abortions;

(b) The high incidence of unsafe abortion owing to the State party's restrictive laws, which permit abortions only in order to save a pregnant woman's life;

(c) The limited use of modern forms of contraception by women and girls, the fact that the State party has one of the highest HIV rates in the world,

disproportionately affecting women and girls, especially women in prostitution, and the prevalence of malaria;

(d) The high incidence of obstetric fistula and the limited access to antenatal, delivery and postnatal care owing to physical and economic barriers;

(e) Reports of high rates of infertility and miscarriage in Zamfara State owing to lead contamination.

38. **Recalling its previous recommendation (CEDAW/C/NGA/CO/6, para. 32) and its general recommendation No. 24 (1999) on women and health, the Committee recommends that the State party:**

(a) **Intensify efforts to reduce the incidence of maternal mortality, including through the training of midwives and the effective implementation of the national midwives service scheme, especially in rural areas, to ensure that all births are attended by skilled health personnel, in line with Sustainable Development Goals 3.1 and 3.7;**

(b) **Amend relevant Criminal Code provisions of federal states, with a view to legalizing abortion in cases of rape, incest, risk to the physical or mental health or life of the pregnant woman and severe impairment of the fetus, and decriminalize abortion in all other cases;**

(c) **Implement strategies to combat malaria and HIV, especially preventive strategies, and enhance the provision of free antiretroviral treatment to all those living with HIV, including pregnant women in order to prevent mother-to-child transmission, and encourage women in prostitution to use condoms and guarantee them access to adequate and respectful health care so that they can be active agents in efforts to combat HIV/AIDS;**

(d) **Ensure that all women and girls have affordable access to modern forms of contraception and intensify efforts to raise awareness of contraceptive use and sexual and reproductive health and rights, targeting both women and men;**

(e) **Address the high incidence of obstetric fistula and the physical and economic barriers to women's limited access to antenatal, delivery and postnatal care;**

(f) **Ensure that women and girls affected by lead contamination in Zamfara State have access to health care and that the consequences of contamination are continuously monitored with a view to providing necessary medical interventions.**

Economic empowerment of women

39. The Committee notes the State party's efforts to promote women's economic empowerment and social welfare, including through the adoption of the Social Insurance Trust Fund Act, in 2012, and the Pension Reform Act, in 2014. The Committee welcomes the State party's adoption of a transition strategy from the Millennium Development Goals to the Sustainable Development Goals in 2015. Nevertheless, the Committee is concerned at:

(a) The lack of information on the effect of the national microcredit policy on women and girls and on efforts to enhance their capacity with regard to entrepreneurship;

(b) The limited efforts of the State party to explore investment and employment opportunities for women through its investments in renewable energy while combating the adverse effects of climate change.

40. **The Committee recommends that the State party:**

(a) **Provide detailed information in its next periodic report on the effect of the implementation of the national microcredit policy on women's access to loans and other forms of financial credit, as well as on efforts to enhance the capacity of women and girls with regard to entrepreneurship;**

(b) **Explore investment and employment opportunities for women through investments in renewable energy while combating the adverse effects of climate change in the context of its efforts to implement Sustainable Development Goals 5, 7 and 13;**

(c) **Accord priority to the participation of women in its efforts to meet the targets of the 2030 Agenda for Sustainable Development.**

Rural women

41. The Committee commends the State party on its efforts to improve the livelihoods of rural women through the implementation of various programmes to promote entrepreneurship, such as the Rural Finance Institution-building Programme and Agriculture Credit Guarantee Scheme Fund, and training programmes. The Committee is concerned, however, that:

(a) Rural women continue to face obstacles that prevent their full participation in decision-making processes and in the development of rural development policies;

(b) Women own less than 7.2 per cent of the total land mass in the State party and their land rights in rural areas are not guaranteed;

(c) Rural women continue to face physical, economic and other barriers in gaining access to health care, family planning services, education, employment and other basic services.

42. **The Committee recommends that the State party:**

(a) **Ensure the full participation of women in decision-making, including on rural development programmes and policies;**

(b) **Continue to expand women's access to microfinance and microcredit at low interest rates to enable them to engage in income-generating activities and to start their own businesses with a view to combating poverty among rural women and promoting rural women's advancement;**

(c) **Review the Land Use Act of 1990, the Land Administration Act of 1978 and related land laws and repeal any provisions that prevent women's access to land in order to ensure that rural women have access to land;**

(d) **Take measures to holistically address structural problems facing rural women so as to meet their needs in respect of health care, family planning services, education, employment and other basic services.**

Disadvantaged groups of women

43. The Committee notes with concern the multiple forms of discrimination that women and girls face in the State party. It is particularly concerned:

(a) That women and girls with disabilities face physical and economic barriers in various fields, especially in gaining access to health care, education and employment;

(b) At the lack of information on the participation of displaced women and girls in recovery efforts and in addressing the root causes of displacement;

(c) That the draft national policy on internally displaced persons has not yet been adopted;

(d) At reports of intersecting discrimination and violence against women and girls caused by homophobia;

(e) At reports of overcrowding of women in places of deprivation of liberty, which is partly attributable to the excessive use of preventive detention.

44. **The Committee recommends that the State party:**

(a) **Intensify its efforts through existing and new innovative programmes that target women with disabilities in order to facilitate their access to health care, education and employment and to combat all forms of discrimination against them;**

(b) **Adopt mechanisms to ensure the effective participation of internally displaced women and girls in recovery efforts and in addressing the root causes of displacement;**

(c) **Expedite the adoption of the draft national policy on internally displaced persons and ensure that it integrates a gender perspective in addressing internal displacement;**

(d) **Take measures to address homophobia and protect affected women and girls;**

(e) **Improve women's conditions in all places of deprivation of liberty by addressing the problem of overcrowding in line with international standards, including the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).**

Marriage and family relations

45. The Committee notes the complexity of the various — and sometimes contradictory — statutory, customary and Islamic marital regimes in the State party, with their varied implications for women's legal capacity and in the regulation of marriage and divorce. It also takes note of the draft model customary law and Islamic law marriages/divorce registration law, which seeks to provide for the mandatory registration of all marriages within a state and is currently before the National Assembly. The Committee is concerned that:

(a) Although the Child Rights Act of 2003 sets the legal age of marriage at 18 years for both women and men, it is applicable only in a limited number of federal states and that, in some states, especially in the northern region, child marriage is prevalent;

(b) While sections 218 and 357 of the Criminal Code protect girls under 13 years of age from forced sexual intercourse, section 6 excludes its applicability to girls of the same age in customary law marriages;

(c) Inheritance rights are largely based on succession by men;

(d) No specific measures have been taken to eradicate polygamous relationships.

46. **The Committee recommends that the State party:**

(a) **Ensure that the draft model customary law and Islamic law marriages/divorce registration law complies with the provisions of the**

Convention and guarantee full legal capacity for all women with regard to marriage, custody and inheritance;

(b) Ensure that the Child Rights Act of 2003 is applicable throughout the State party and eradicate child marriage through awareness-raising efforts and by prosecuting and punishing perpetrators and accomplices;

(c) Repeal section 6 of the Criminal Code, as it legitimizes child marriage and rape by excluding the applicability of sections 218 and 357 of the Criminal Code, which protect girls under 13 years of age from forced sexual intercourse;

(d) Review the legal regimes governing inheritance under customary law and Islamic personal law to ensure that women's inheritance rights are in line with the Convention and effectively enforced and that women are fully informed about the changes in the law;

(e) Eradicate polygamy through the use of awareness-raising campaigns and education, which should, among other things, focus on the harmful effects of this practice and fully involve religious, traditional and local government leaders.

Amendment to article 20 (1) of the Convention

47. **The Committee encourages the State party to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.**

Beijing Declaration and Platform for Action

48. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention.**

2030 Agenda for Sustainable Development

49. **The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.**

Dissemination

50. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the parliament and the judiciary, to enable their full implementation.**

Technical assistance

51. **The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.**

Ratification of other treaties

52. **The Committee notes that the adherence of the State party to the nine major international human rights instruments[1] would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to consider ratifying the first Optional Protocol to the International Covenant on Civil and Political Rights, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.**

Follow-up to the concluding observations

53. **The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 12 (a), (b), 16 (a) and 20 above.**

Preparation of the next report

54. **The Committee invites the State party to submit its ninth periodic report, which is due in July 2021. The report should be submitted on time and, in case of delay, should cover the entire period until its submission.**

55. **The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I).**

[1] The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.